

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

NEW HAMPSHIRE HOSPITAL
ASSOCIATION, et al.,

Plaintiffs,

V.

CIVIL ACTION No. 1:15-cv-00460

SYLVIA MATHEWS BURWELL, in her official capacity as Secretary of the United States Department of Health and Human Services,

ANDREW SLAVITT, in his official capacity as
Acting Administrator, Centers for Medicare and
Medicaid Services,

and

CENTERS FOR MEDICARE AND MEDICAID
SERVICES,

Defendants.

**DECLARATION OF HENRY LIPMAN IN SUPPORT OF PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT**

I, Henry Lipman, declare as follows:

1. I am over the age of 18 and make this declaration on personal knowledge.
2. I am the Senior Vice President of Financial Strategy and External Relations of LRGHealthcare (“LRG”).
3. LRG owns and operates two hospitals—Lakes Region General Hospital (“LRGH”) and Franklin Regional Hospital (“FRH”)—and their affiliated programs and services in the Three Rivers and Lake Winnepesaukee regions of New Hampshire.
4. LRGH filed its finalized annual Medicaid Uncompensated Care Data Request Form (“UCC Form”) with the New Hampshire Department of Human Services (“DHHS”) in

accordance with the March 23, 2016 letter agreement between the New Hampshire Hospital Association (“NHHA”) and the DHHS.

5. FRH also filed its finalized annual UCC Form with the DHHS in accordance with the March 23, 2016 letter agreement between the NHHA and the DHHS.

6. The DHHS has not acted to recoup any alleged “overpayments” from FRH that application of the policies contained in FAQ Nos. 33 & 34 had created, consistent with the terms of the Repayment Agreement FRH entered into with the DHHS.

I declare under the penalty of perjury that the foregoing is true and correct, executed on the date referenced below.

Dated: April 15, 2016

By: /s/ Henry D. Lipman
Henry D. Lipman